

Appln No 10/810,161
Mckittrick et al.
Office action dated August 16, 2006

REMARKS/ARGUMENTS

The Examiner is thanked for the Official Action dated August 16, 2006. This amendment is intended to be fully responsive thereto.

Claims 25-28 have been cancelled and are replaced by new claims 30-33.

Claim 21 has been amended to reflect that the overall chamber width is larger in the area of the end tank than in the interior by the tubes. Support can be found on page 11 and in all the drawings, and particularly in Fig. 2.

Claim 24 has been amended to indicate the nature of the baffle wall relative to the tank wall surface. Support can be found on page 5 and in the drawings, and particularly Figures 2 and 5.

New claim 29 provides for a relief means that is at a point contiguous with or throughout the thickness of the tab.

35 USC 102 Rejections

Applicants respectfully contend that the present claims, as amended, are both new and unobvious over Tokutake et al or any prior art cited.

Tokutake does not teach or suggest a method for making a heat exchanger assembly having a double baffle chamber width larger at the end tank or double baffle with portions basically perpendicular to the tank wall surface, and, therefore, newly amended claim 1 and new claim 29, and their dependent claims, are both new and unobvious.

Tokutake, contrary to Examiner's suggestion as it relates to claims 25-27, does not describe a relief means such that when in place in the assembly that it is (120) continuous with or through the thickness of a tab. The Examiner has, respectfully, on the contrary, shown Figure of Tokutake, the hole that locks the lug in position (see column 10, lines 45-50, that have no relief function therein described).

Claim 21 has been amended to reflect that the overall chamber width is larger in the area of the end tank than in the interior by the tubes. Support can be found on page 11 and in all the drawings, and particularly in Fig. 2.

Claim 24 has been amended to indicate the nature of the baffle wall relative to the tank wall surface. Support can be found on page 5 and in the drawings, and particularly Figures 2 and 5. New claim 29 provides for a relief means that is at a point contiguous with or throughout the thickness of the tab.

No new matter has been added.

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Summary

21-24 and 29-33

Based on the foregoing, it is respectfully submitted that claims 21-24 and 29-33, in their current forms, define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution, please be invited to contact the undersigned at the number listed below.

Respectfully submitted,

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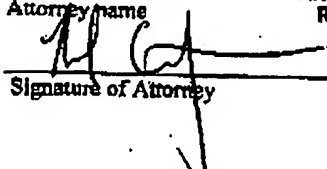
I hereby certify that this correspondence is being transmitted by
facsimile to the Commissioner for Patents,
Alexandria VA, 22313-1450 on November 15, 2006

R. Courtney

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Signature of Attorney

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